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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shunpei Yamazaki et al. Art Unit : 2673
Serial No. : 09/919,832 Examiner : Unknown
Filed : August 2, 2001
Title : PORTABLE INFORMATION APPARATUS AND METHOD OF DRIVING
THE SAME

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE OF INCOMPLETE APPLICATION

In response to the Notice of Omitted Items in a Nonprovisional Application mailed October 4, 2001, applicant provides the following clarification and respectfully requests that the filing date of August 2, 2001, be granted.

The Notice of Omitted Items in a Nonprovisional Application states that Figs. 35, 36, and 37 were omitted from the nonprovisional application when it was filed. Applicant does not dispute this statement. However, Figs. 35, 36, and 37 were filed with the U.S. Patent and Trademark Office on August 20, 2001 in a submission titled Transmittal of Omitted Drawing Figures. A copy is enclosed of the transmittal, the figures, and the date-stamped postcard listing the items filed. We also are enclosing a Supplemental Declaration that refers to these initially omitted items. Applicant further submits that the filing date of August 2, 2001 should be granted because the subject matter disclosed in Figs. 35, 36, and 37 is adequately described in detail in the application as filed on August 2, 2001 at least at page 59, line 10 through page 64, line 22.

A check for \$130 is enclosed to cover the petition fee under 37 CFR §1.17(h). Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: December 4, 2001

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/919,832	08/02/2001	Shunpei Yamazaki	12732-063001

CONFIRMATION NO. 4335

FORMALITIES LETTER



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Date Mailed: 10/04/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 35, 36, 37 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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